Government of Kerala
1975

Reg. No. K. 107.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Saturday, 15th February 1975 / 26th Magha 1896 [No. 76

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 974/LA4A/75. *Dated, Trivandrum, 15th February 1975.*

The Abkari (Amendment) Bill, 1975 together with the Statement of Objects and Reasons, and the Financial Memorandum is published, under Rule 67 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,

Secretary,

Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1975.

33/379/MC.

Fourth Kerala Legislative Assembly

Bill No. 207

THE ABKARI (AMENDMENT) BILL, 1975

A

BILL

further to amend the Abkari Act, I of 1077

Preamble.—WHEREAS it is expedient further to amend the Abkari Act, 1 of 1077, for the purposes hereinafter appearing;

BE it enacted in the Twenty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Abkari (Amendment) Act, 1975.

(2) It shall come into force at once.

2. *Amendment of section 3.*—In the Abkari Act, I of 1077 (hereinafter referred to as the principal Act), in section 3, after clause (17), the following clause shall be inserted, namely:—

"(17A) "Transit" means to move from one place in a State to another place in that State through the territory of the State of Kerala.

Explanation.—In this clause, "State" means the State of Karnataka or the State of Tamil Nadu or the Union territory of Poundicherry.".

3. *Amendment of section 29.*—In sub-section (2) of section 29 of the principal Act, in clause (j), for the words "possession or transport", the words "possession, transit or transport" shall be substituted.

4. *Amendment of section 55.*—In section 55 of the principal Act, in clause (a), for the words "transports or possesses", the words "transports, transits or possesses" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Abkari Act, 1 of 1077, contains no provision to regulate the movement of liquor or intoxicating drugs from one place in

a neighbouring State or Union territory to another place in that State or Union territory through the territories of the State of Kerala. Such movements of liquor and intoxicating drugs are being done without the knowledge of the Excise authorities of Kerala and therefore it is not possible to prevent the sale of such goods in this State or other malpractices in the course of such movements. It is therefore considered necessary to make provisions in the Act to regulate such movements of liquour and intoxicating drugs through this State.

2. The Bill seeks to amend the Abkari Act, I of 1077, for the above purpose.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

BABY JOHN.

Government of Kerala
1975

Reg. No. K. 107.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Saturday, 15th February 1975 / 26th Magha 1896 [No. 77

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1088/LA4/75. *Dated, Trivandrum, 15th February 1975.*

The following Bill together with the Statement of Objects and Reasons, and the Financial Memorandum is published, under Rule 67 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS. TRIVANDRUM, 1975

..361/MC.

Fourth Kerala Legislative Assembly

Bill No. 210

THE STAY OF RECOVERY OF ARREARS OF JENMIKARAM BILL, 1975

A

BILL

to provide for the temporary protection of kanam tenants and persons deriving title from them against proceedings for recovery of arrears of jenmikaram and for matters incidental thereto.

Preamble.—WHEREAS the Stay of Recovery of Arrears of Jenmikaram Act, 1974 (15 of 1974), which provided for the temporary protection of kanam tenants and persons deriving title from them against proceedings for recovery of arrears of jenmikaram and for matters incidental thereto, ceased to have effect on the 30th day of June, 1974;

AND WHEREAS it is necessary to provide for such protection to such persons for a further period;

BE it enacted in the Twenty-sixth Year of the Republic of India as follows:—

1. *Short title, commencement and duration.*—(1) This Act may be called the Stay of Recovery of Arrears of Jenmikaram Act, 1975.

(2) It shall be deemed to have come into force on the 22nd day of January, 1975 and shall cease to have effect on the 31st day of December, 1975.

(3) Upon the expiry of this Act, the provisions of section 4 of the Interpretation and General Clauses Act, 1125 (VII of 1125), shall apply as if this Act had then been repealed by an Act of the Kerala State Legislature.

2. *Interpretation.*—Words and expressions used in this Act shall have the meanings respectively assigned to them in the Kanam Tenancy Act, 1955 (XXIV of 1955).

3. *Stay of suits, applications, etc., for arrears of jenmikaram.*—(1) Notwithstanding anything to the contrary contained in the Kanam Tenancy Act, 1955 (XXIV of 1955) or in any other law, or in any

contract or in any judgment, decree or order of any court, with effect on and from the commencement of this Act,—

(a) no suit or application or other proceedings for the recovery of arrears of jenmikaram accrued due before the commencement of this Act; or

(b) no application for, or proceedings in, execution of a decree or order for the recovery of such arrears of jenmikaram or other application or proceedings incidental or ancillary thereto,

shall lie in any court or before any other authority or officer, and all suits, applications and other proceedings for recovery of such arrears of jenmikaram and all applications for, and proceedings in, execution of decrees or orders for recovery of such arrears of jenmikaram and other applications and proceedings incidental or ancillary thereto, pending in any court or before any other authority or officer at the commencement of this Act, shall stand stayed.

(2) All appeals against decrees or orders relating to arrears of jenmikaram accrued due before the commencement of this Act and all revisions against decrees or orders relating to such arrears of jenmikaram, pending any court or before any other authority or officer at the commencement of this Act, shall stand stayed, and no court or other authority or officer shall proceed with any such appeal or revision filed after such commencement.

4. *Limitation.*—In computing the period of limitation for the institution of suits or other proceedings or the making of applications or the filing of appeals and revisions prohibited under this Act, the time during which such suits or other proceedings or applications or appeals or revisions were prohibited under this Act shall be excluded.

5. *Repeal and saving.*—(1) The Stay of Recovery of Arrears of Jenmikaram Ordinance, 1975 (9 of 1975) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act

STATEMENT OF OBJECTS AND REASONS

The Kanam Tenancy Act, 1955 (XXIV of 1955) which is applicable to the Cochin area of the State, confers full proprietory rights on the kanam tenants in respect of their holdings, subject only to their liability for the payment of jenmikaram to the jenmies.

The relationship between the kanam tenants and their jenmies is governed by the above Act and is outside the purview of the Kerala Land Reforms Act, 1963.

2. Government have decided to introduce suitable legislation as early as possible to abolish the payment of jenmikaram in the Cochin area, as was done in the Travancore area of the State by the enactment of the Jenmikaram Payment (Abolition) Act, 1960. A Bill for the purpose is being finalised by the Government. The enactment of the Bill will however take some more time.

3. Government had received numerous representations regarding the hardships caused to the kanam tenants of the Cochin area due to coercive steps taken by the jenmies through courts of law for the recovery of arrears of jenmikaram. It had also been brought to the notice of Government that in several such cases, the kanam tenants would be deprived of their holdings due to proceedings in execution of decrees for arrears of jenmikaram. It was therefore considered necessary that the kanam tenants should be given some interim relief pending enactment of the Bill for the abolition of the jenmies' rights. Accordingly, the Stay of Recovery of Arrears of Jenmikaram Act, 1974 (15 of 1974), was enacted. That Act ceased to have effect on the 30th day of June, 1974.

4. It has been brought to the notice of the Government that after the expiry of the period of stay under the Stay of Recovery of Arrears of Jenmikaram Act, 1974, the jenmies have taken action through courts for the recovery of arrears of jenmikaram and that in several such cases there was the possibility of the kanam tenants being deprived of their holdings due to the proceedings in execution of decrees for arrears of jenmikaram. Therefore, it was considered necessary to give temporary protection to the kanam tenants for a further period pending the enactment of the Bill for the abolition of jenmies' rights. Since the Legislative Assembly was not in session and immediate action had to be taken, the Stay of Recovery of Arrears of Jenmikaram Ordinance, 1975 (2 of 1975), was promulgated for giving temporary protection to the kanam tenants till the 30th April, 1975.

5. The Bill seeks to replace the Ordinance by an Act of the Legislature and also to extend the period of temporary protection upto 31st December, 1975.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

BABY JOHN

Government of Kerala
1975

Reg. No. K. 107.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1093/LA 4-A/75. *Dated, Trivandrum 15th February 1975.*

The Cochin University (Amendment) Bill, 1975 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 67 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1975.

33/383/MC.

Fourth Kerala Legislative Assembly

Bill No. 211

THE COCHIN UNIVERSITY (AMENDMENT) BILL 1975

A

BILL

further to amend the Cochin University Act, 1971.

Preamble.—WHEREAS it is expedient further to amend the Cochin University Act, 1971, for the purposes hereinafter appearing;

BE it enacted to the Twenty-sixth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Cochin University (Amendment) Act, 1975.

2. *Amendment of section 10.*—In section 10 of the Cochin University Act, 1971 (30 of 1971) (hereinafter referred to as the principal Act), after sub-section (15), the following sub-section shall be inserted, namely:—

> "(15A) In the event of a permanent vacancy occurring in the office of the Vice-Chancellor, the Chancellor shall make necessary arrangements for exercising the powers and performing the duties of the Vice-Chancellor pending appointment of a person as Vice-Chancellor.".

3. *Amendment of section 56.*—In section 56 of the principal Act, in the proviso to sub-section (2), for the words "one year", the words "one year and six months" shall be substituted.

4. *Repeal and saving.*—(1) The Cochin University (Third Amendment) Ordinance, 1974 (18 of 1974), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act as if this Act had come into force on the 16th day of December, 1974.

STATEMENT OF OBJECTS AND REASONS

Sub-section (15) of section 10 of the Cochin University Act, 1971, provides that in the event of a temporary vacancy in the

office of the Vice-Chancellor, the Chancellor shall make necessary arrangements for exercising the powers and performing the duties of the Vice-Chancellor. But the Act did not contain provision for making any arrangements in the event of a permanent vacancy in the office of the Vice-Chancellor. It was considered necessary to empower the Chancellor to make arrangements for exercising the powers and performing the duties of the Vice-Chancellor in such cases also.

2. The term of the Syndicate of the Cochin University nominated by the Chancellor under sub-section (2) of section 56 of the Act was due to expire on the 20th December, 1974. As the election to the Senate of the University had not been completed, it was not possible to constitute the Syndicate in accordance with the provisions of the Act. The other authorities of the University could not also be constituted in accordance with the provisions of the Act due to delay in completing the elections to the Senate. It was therefore considered necessary to empower the Chancellor to extend the term of the Syndicate and the other authorities nominated by him for a further period of six months.

3. As the Legislative Assembly was not in session, the above object was achieved by promulgating the Cochin University (Third Amendment) Ordinance, 1974 (18 of 1974) on the 16th December, 1974. The Bill seeks to replace the Ordinance by an Act of the Legislature.

FINANCIAL MEMORANDUM

The Bill when passed and brought into operation would not involve any expenditure from the consolidated fund of the State.

CHAKKEERI AHMED KUTTY

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Government of Kerala
1975

Reg. No. K. 107.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Saturday, 15th February 1975 / 26th Magha 1896 [No. 79

GOVERNMENT OF KERALA

Finance Department

NOTIFICATION

No. 3164/Estt. C1/75/Fin. *Dated, Trivandrum, 7th February 1975.*

It is hereby notified for the information of all concerned that a new Sub Treasury will be established at Kothamangalam in Kothamangalam Taluk of Ernakulam Revenue District and it will start functioning with effect from a date to be fixed by the Government after 15 days from the date of publication of this Notification in the Gazette.

2. The new Sub Treasury will be conducting its cash transactions at the Sub Treasury counter itself until further orders and will have its jurisdiction over the entire area of Kothamangalam Taluk of Ernakulam Revenue District.

3. No claims against Government arising in the aforesaid area will be paid from any treasuries or Sub Treasuries other than the Sub Treasury, Kothamangalam from the date of opening of the Sub Treasury except under special orders of the competent authorities. The transactions pertaining to stamps, opium, ganja and saleable forms and the safe custody of departmental cash chest and other valuables under Rules 157 and 158 of the Kerala Treasury Code, Volume I relating to the abovesaid area will also be attended to by the new Sub Treasury.

4. Notwithstanding anything contained in paragraph 3 above, the drawing accounts of the Administrators of Personal Deposit Accounts, the Local Fund Deposit Accounts and the Judicial Deposit Accounts pertaining to the abovesaid area will continue to be operated at the Treasury/Sub Treasury at which they are now operated until the Administrators of such accounts get themselves placed in account with the Sub Treasury, Kothamangalam by the Accountant General. Similarly the Treasury Savings Bank Deposit accounts in the name of officers, Heads of Institutions and other individuals located in the abovesaid area which are now operated at another Treasury/Sub Treasury will continue to be operated at the same Treasury/Sub Treasury till the depositors concerned get such Savings Bank Accounts transferred to the Sub Treasury, Kothamangalam in accordance with the procedure prescribed for the transfer of the S. B. Accounts. The pensioners pertaining to the abovesaid area who are now drawing their pensions from another Treasury/Sub-Treasury will also continue to draw their pensions from the same Treasury/Sub Treasury until they get the payment of their pensions transferred to the Sub Treasury, Kothamangalam in accordance with the procedure prescribed for such transfer.

By order of the Governor,

K. V. RABINDRAN NAIR,

Finance Secretary.

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Government of Kerala
1975

Reg. No. K. 197.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Saturday, 15th February 1975 / 26th Magha 1896 [No. 80

NOTICE

UNDER SECTION 9 (5) OF THE KERALA LAND ACQUISITION ACT, 1961 (ACT 21 OF 1962)

No. B2-17/74. *11th February 1975.*

Notice is hereby given that the Government intend to take possession of the lands mentioned in the list below, which are required for a public purpose under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962). All persons interested in the lands are required to appear in person or by authorised agent on 19-2-1975, before the Special Tahsildar No. II for L. A. Railways, Trivandrum and to state/put in a statement in writing signed by themselves or their agents showing the nature of their respective interests in the land and the amount and particulars of their claim to compensation for such interests in the land and their objections, if any to the measurements made under section 8 of the Act.

Note.—If the persons interested refuse to make a claim to compensation or omit without sufficient reasons, to make such claim, the amount to be awarded by the Court, in the event of a reference being made to it on application made by them shall in no case exceed the amount awarded by the Collector under section 11 of the Act.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്റ്റിൽ പറഞ്ഞിട്ടുള്ളതും, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം ഒരു പൊതു കാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ ഗവണ്മെന്റ് ഉദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശ ബന്ധമുള്ള എല്ലാവരും നേരിട്ടോ അധികൃത ഏജന്റ്

[illegible]

[illegible]

Particulars of Lands

District—Trivandrum.

Taluk—Neyyattinkara. *Village*—Pallichal (Block No. XIV)

Survey No.	*Extent* A.	*Sq.m.*
36/16-5	03	45
36/17-2	00	35
36/23-1	00	83
36/22-1	02	71
32/4-5	02	40
36/23-2	05	35
32/4-8	00	45
36/19-2	02	02
36/20-2	04	35
36/26-2	00	40
32/4-15	01	05
32/8-10	04	31
32/8-13	05	83
32/2-1	00	05
32/3-5	00	70
32/1-12	04	05

Survey No.	*Extent in*	
	Ares.	*Sq.m.*
32/4-14	00	30
36/16-4	00	66
36/22-2	04	59
32/4-11	00	26
36/22-4	02	53
36/23-4	06	27
36/27-2	03	85
36/26-1	01	42
36/20-2	05	36
32/3-6	00	75
32/3-1	01	31
36/16-3	00	81
Tota:	30	20

Trivandrum.

(Sd.)
Special Tahsildar, No. II.
for L. A. Railways.

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TRIVANDRUM, 1975.